

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, DC 20554**

In the Matter of	)	
	)	
Petition of	)	
Qwest Corporation for Forbearance	)	WC Docket No. 04-416
Pursuant to 47 U.S.C. § 160(c) Pertaining to	)	
Qwest's xDSL Services	)	

**MOTION FOR EXTENSION OF TIME**

Pursuant to Section 1.46 of the Commission's rules, 47 C.F.R. § 1.46, the Washington Bureau for ISP Advocacy ("WBIA") files this motion requesting that the Commission extend the period for all interested parties to file comments and reply comments in the above captioned proceeding from January 5, 2005 and February 7, 2005, respectively to January 20, 2005 and February 22, 2005, respectively. The WBIA submits that this extension of time will permit more substantive and complete responses to the petition that Qwest has filed before the Commission.

On November 10, 2004, Qwest Corporation (Qwest) filed a petition for forbearance, pursuant to 47 U.S.C. § 160(c), pertaining to xDSL services. In its petition, Qwest has sought forbearance from dominant carrier tariff regulation, rate averaging requirements, and resale at an avoided-cost discount, for Qwest's mass-market xDSL services. Qwest argues that the Commission has not taken the same deregulatory position toward incumbent LEC xDSL as it has toward cable modem service.

Notwithstanding the Supreme Court's decision to grant certiorari in the Brand X case - National Cable & Telecommunications Association v. Brand X, 04-277 and FCC v. Brand X, 04-281, with hearings scheduled at a later date in 2005, a grant of WBIA's extension of time is a fair request in this case. Due to the November and December holidays, and vacation schedules that are common for this time of year, many of the interested parties have had limited time and resources to address the substantial amount of Commission proceedings. It is understood that the

Commission does not routinely grant extensions.<sup>1</sup> No prejudice to any interested party would result from this extension. The extension will delay the closing of the comment periods by only 15 days.

The Commission has in the past, granted requests for an extension to file comments. E.g., the recent comment period for the BellSouth Petition, WC Docket No. 04-405 that ended December 20, 2004, the Commission issued a public notice (DA 04-3988) on December 20, 2004 granting BellSouth a motion for extension of time for reply comments pertaining to WC Docket No. 04-405. The Commission also granted such request for an extension to file comments in public notice (DA 02-1741) dated July 18, 2002<sup>2</sup>.

In light of intervening holidays and the proximity of pending comment and reply dates of other proceedings<sup>3</sup>, WBIA respectfully submits that in this proceeding as well, a grant of additional time would allow all interested parties an opportunity to cogently respond and abet the Commission in reaching its decision.

WBIA respectfully requests that the Commission grants its motion for an extension of time to file comments and reply comments in this proceeding to January 20, 2005 and February 22, 2005 respectively.

Respectfully submitted,

/s/ Frank J. Muto

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<sup>1</sup> 47 C.F.R. § 1.46(a)

<sup>2</sup> Section 272(f)(1) Sunset of the BOC Separate Affiliate and Related Requirements, WC Docket No. 02-112

<sup>3</sup> WC Docket Nos. 04-405 - 04-440